



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105

August 23, 1991

Larry P. Ausherman, Esq.
Modrall, Sperling, Roehr, Harris & Sisk
500 Fourth Street, N.W.
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Post Office Box 2168
Albuquerque, New Mexico 87103-2168

Dear Larry:

Thank you for your submittal dated August 21, 1991. Pursuant to the terms of that submittal and our previous conversation on August 20, 1991, I have prepared the enclosed addendum to EPA Order No. 91-16. This addendum addresses all of the legal concerns which we discussed and agreed upon in our conversations on August 19 and 20, 1991.

As agreed at the conference held on August 13, 1991, technical alterations to (and clarifications of) EPA Order No. 91-16 shall be codified in a separate technical addendum to be provided to the Respondents by On-Scene Coordinator Robert Bornstein.

As we discussed earlier this week, Region IX granted an extension in the effective date of EPA Order No. 91-16, until today, Friday, August 23, 1991. As of 1:00 p.m. this afternoon, California time, I have not received any communications from you or from the Respondents objecting to this effective date. Therefore, as previously agreed, the Order will be effective as of this date.

Thank you for your continued cooperation regarding this matter. Please contact me at (415) 744-1359 if you have any questions or concerns.

Sincerely,

Linda P. Wandres
Assistant Regional Counsel